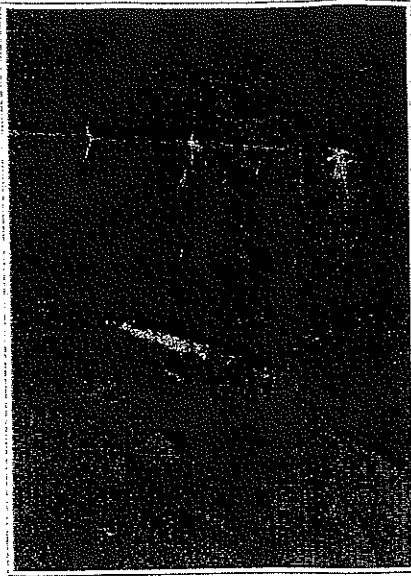


James Edward Phillips

July 21, 1954 ~ September 12, 2019 (age 65)



James Edward Phillips, 65 of Clinton went home to be with the Lord unexpectedly Thursday, September 12, 2019. Jim was born July 21, 1954 in Barberton, Ohio to the late Floyd and Victoria (Truex) Phillips and had been a life resident of the area. He was a 1974 graduate of Northwest High School, a self employed auto mechanic and the owner of Cartel Auto Service, Akron. Jim had a love for gardening, camping and his motorcycle. He loved to go riding. Jim is survived by his wife, Karen; daughters, Amy (Tim) Phillips, Dorothea (James) Perry and Patricia (Jake) Phillips; nine grandchildren; brother, Charles Phillips; sisters, Mary Wilder and Hazel Boyle, nieces and nephews. Funeral Services will be FRIDAY 11:00 a.m. at the NEW HOPE CHAPEL CHURCH OF CHRIST, 9460 Portage St. NW, Massillon, Ohio 44646 with Dr. Kenneth Morrison officiating. Burial will take place at Canal Fulton Cemetery. Family and friends may call THURSDAY 5 p.m. - 7 p.m. AT THE CHURCH.

Services

VISITATION

Thursday
September 19, 2019
5:00 PM to 7:00 PM
New Hope Chapel, Church of
Christ
Massillon, OH

FUNERAL SERVICE

Friday
September 20, 2019
11:00 AM
New Hope Chapel, Church of
Christ
Massillon, OH

Jail inspection

FROM A1

As governor, DeWine has the authority to make broad policy changes within the Ohio Department of Rehabilitation and Corrections' inspection process.

Many of the changes have statewide implications, but DeWine said he's focused on Cuyahoga County. His inspectors will conduct an inspection of the jail every 30 days, instead of once every year.

"If they need to inspect it more often, they will," DeWine said. "If they need to live there, they'll live there."

DeWine ordered the review of the state's jail inspections after the U.S. Marshals Service found "inhumane" conditions and civil rights violations in a November inspection, despite the state routinely finding little wrong at the jail.

An ensuing state inspection found the county out of compliance with 84 minimum state jail standards, mostly using information from the U.S. Marshals report.

An inspection Monday found the county jail still out of compliance with 66 minimum standards, including medical and mental healthcare of inmates, food service, inmate discipline and unsanitary conditions.

DeWine in March ordered the review of the state's jail inspections statewide. The report on the state's inspections process, in part, uses Cuyahoga County Jail as a case study.

That report blames Cuyahoga County's attempts to bring the county's local jails under its control. Cuyahoga County Executive Armond Budish's administration sought to contract with communities in the Cleveland area to house inmates as a way for the county to generate revenue. That plan came at the same time as populations within the aging facility saw pregnant women sleeping on floors and inmates crammed in crowded pods for up to 23 hours a day.

Cleveland's city jail closed in June 2018, flooding the county jail with new inmates. The understaffed jail was not prepared to handle the additional population, the report says.

County jail officials, who were not named in the report, declined the ODR's offer for assistance in helping with that transition prior to June 2018, the report says. The same officials declined an offer by the ODR to inspect the jail after several inmate deaths, which began the same month Cleveland began housing its inmates in the county jail.

The report also says that the county was "not prepared" for their 2018 jail inspection and refused to provide required documentation to jail inspectors.

Jail officials were "obstinate" when state inspectors asked for documentation of the deaths and incidents of excessive uses of force by corrections officers, among other documents, the report says.

"Documented efforts on the part of the jail

inspectors were met with significant resistance or non-compliance..." the report says. DeWine ordered the following changes to the way the state inspects its jails:

- The state will hire eight jail inspectors and a nurse to add to their current roster of just six inspectors. The six-person staff oversaw previous inspections of more than 300 jails and holding cells. The nurse was added to the staff because many jail-related issues stem from some sort of medical or mental illness, DeWine said. DeWine said the jail inspection unit was "grossly understaffed."
- Those jail inspectors will review every jail or holding cell to see if they comply with all jail standards. Inspectors looked previously at the most critical standards every year and about half of the other jail standards on a rotating basis.
- The ODR will now send copies of its annual inspections not only to a sheriff or police chief who oversees a jail, but to that city's and county's administrative, municipal and common pleas judges and the county prosecutor. They will also get sent to local government entities, such as city councils or county commissioners. DeWine said that decision is meant to provide more transparency and information to others who could potentially try to address problems at local jails.

DeWine will ask the Ohio Supreme Court to work with the ODR to develop a uniform way for county grand juries to report what they find during their required jail inspections. Grand juries in every county are required to take a tour of the jail and issue a written report.

DeWine also said he will ask the Ohio legislature to approve two changes:

- Allowing the ODR to conduct unannounced inspections at local jails. All jail inspections currently are conducted with advance notice.
- Require local jails to report all critical incidents — such as inmate deaths, officers using excessive force against inmates and inmate violence — to ODR so the state can track serious incidents.

The announcement was met with praise by two area state legislators — state Sen. Nicki Antonio, D-Lakewood, and state Rep. Jeff Crossman, D-Parma.

Both said in a joint statement that they've discussed their concerns with the county jail with DeWine and plan to review the changes he's proposing.

"We will be taking a hard look at the governor's proposed changes to see if they adequately address the growing concerns we have about the conditions in the Cuyahoga County Jail and the state's role in facility oversight over the past year," Crossman said. "Every person detained must be treated fairly and humanely and employees should have the necessary resources to perform their duties to the best of their abilities."

INSPECTIONS FAISIFIED
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EXHIBIT 1

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TY JAIL

DeWine's focus is on a jail in 'crisis'

Unprecedented scrutiny
will continue until fixed

Adam Ferrise aferrise@cleveland.com

Ohio Gov. Mike DeWine's administration found such extensive problems at the Cuyahoga County Jail that he ordered unprecedented changes to the way the state oversees jails. He dubbed the problems at the jail a "crisis."

DeWine, in a review of how the state oversees local jails, used the Cuyahoga County Jail as its case study in what the

Jail

ROM A1

was passed that allowed the ODRC director to file a lawsuit in common pleas court that would force court-enforced compliance with minimum jail standards. Thus far, no county, city or government in Ohio has been the subject of such a lawsuit.

POSSIBLE LAWSUIT FOR CUYAHOGA COUNTY

The state even declined to intervene in Franklin County where the U.S. Department of Justice in 2010 filed suit when it was revealed that jail guards at the Franklin County Jail used excessive force against inmates.

DeWine said on Thursday he would not rule out using a lawsuit to force Cuyahoga County to comply with jail standards if the county fails to remedy issues that continue to plague its jail.

The ODRC's report also says the state can bring a lawsuit against a county for failing to provide documentation on critical incidents, such as deaths and excessive uses of force by jail officers, an issue state inspectors had in Cuyahoga County.

ODRC Director Annette Chambers-Smith said in an interview with cleveland.com on Friday that she sees no need to file a lawsuit against the county as things stand now.

New Cuyahoga County Jail Director Ronda Gibson, whose first day on the job was Monday, impressed jail inspectors, Chambers-Smith said. She said Gibson's prior experience should help the jail and pointed out that the former jail director, Ken Mills, had no prior experience in corrections.

OTHER SPECIFICS TO CUYAHOGA COUNTY JAIL

The state has never before put the type of scrutiny on a single jail that DeWine has

EXHIBIT

CUYAHOGA COUNTY JAIL

Grand juries subpoena medical records

EXHIBIT

Courtney Astolfi castolfi@cleveland.com

MetroHealth System on Wednesday released subpoenas from federal and Cuyahoga County grand juries seeking medical records related to the deaths or injuries of inmates in the troubled county jails.

A federal grand jury served a subpoena late last year seeking documents related to inmate injuries and deaths dating eight years back, when MetroHealth first contracted with the county as a health-care provider at the jails.

The subpoena signals that federal authorities are looking into a broad scope of the jails' treatment of inmates spanning several years.

Eight inmates died last year, and a ninth inmate died this year.

MetroHealth spokeswoman Tina Shaerban Arundel told cleveland.com on Wednesday that the hospital interpreted the subpoenas as requiring records from 2011 onward. Those records included:

- › Reviews and autopsy reports for all inmates who died in county custody or at the jail.
- › Any emails, memos, directives or other correspondence exchanged by leadership or other people about the deaths, or about any of the inmates who died, or five other inmates that prosecutors identified by name. (The named inmates include six who died in 2018, as well as five others, including one whom guards are accused of beating and then blocking from medical care.)
- › Any files, notes or other records about the deaths or injuries of the inmates.
- › MetroHealth also was required to turn over records related to "medical care provided as a consequence or suspected consequence of interactions/altercations with staff" or "injuries from unknown origins." Those records included:
 - › Medical records and notes, treatments provided, and complaints from or on behalf of inmates.
 - › Investigative records, including surveillance and body camera footage, that was provided to MetroHealth to aid in a diagnosis or determination of the cause of injury or death.
 - › All communications related to jail policies or practices on the use-of-force by jail staff, and the inmates "resultant access to medical treatment."
 - › All inmate grievances related to physical altercations with staff.
 - › All inmate grievances related to the quality, accessibility or denial of medical care.

Assistant U.S. Attorney Justin Seabury Gould, whose name is on both the December and March subpoenas, is one of two federal prosecutors overseeing a review of the findings the U.S. Marshals Service reported last November.

Among other problems, the Marshal's Service reported "inhumane" and "unconstitutional" treatment of inmates.

Guard had illegal copies of security videos

Cory Shaffer cshaffer@cleveland.com

A Cuyahoga County Jail supervisor possessed "bootleg copies" of jailhouse security videos that he used to threaten another corrections officer into testifying on his behalf, in a case in which he was charged with assaulting a restrained inmate, a prosecutor said in court Thursday.

Investigators found the videos as they executed a warrant at Cpl. Idris-Farid Clark's house, after he was recorded on a phone call telling a colleague that he had videos of a use-of-force incident in the jail that would implicate the officer in a crime if made public, special assistant prosecutor Matthew Meyer said.

Clark was free on a \$5,000 bond on charges including felonious assault at the time of the phone call and declined to give investigators his source for the videos, Meyer said.

SEE JAIL VIDEOS, A5

Jail videos

FROM A1

Clark was indicted in August on charges of intimidation and extortion related to the threats detailed in court records. But Thursday was the first time that prosecutors confirmed that Clark did in fact have the videos he cited on the recording, and that he was not simply bluffing.

"You cannot have public officials being extorted over the use of force or the video system," Meyer said at the hearing. "These charges are egregious."

The statements came at a pretrial hearing where a judge lowered Clark's bond from \$100,000 to \$50,000 on charges of extortion and intimidation related to the videos.

Common Pleas Court Judge Dick Ambrose ordered Clark to remain on home detention and have no contact with any employees of the Cuyahoga County Jail while his case is pending. Ambrose made an exception for Clark, who has been placed on unpaid leave since his arrest, to communicate with human resources officials at the jail about his employment status.

The revelation is the latest troubling detail to emerge about the way body and surveillance cameras from inside the jail were maintained by the Cuyahoga County Sheriff's Department as recently as last year.

FBI special agent Dennis Timony testified last week in the trial of two jail guards charged in connection with the February 2018 beating of an inmate that investigators uncovered incidents corrections officers deleted body camera videos from the sheriff's department's computers. Timony said the computer system the department used in 2018 was not secure and allowed anyone with access to the computer to delete videos, rename the files or extract them from the computer to an external device.

Meyer on Thursday echoed Timony's testimony that the sheriff's department's computer system was vulnerable.

"It's a system that is insecure inherently, but those videos should not have been in anyone's possession, much less been used to threaten other witnesses into doing what Mr. Clark wanted," Meyer said.

Timony testified that the department upgraded its body cameras and storage system after investigators became aware of the lax security. A county spokeswoman has provided cleveland.com with a copy of the department's body-camera policy put into place in April but has not answered several questions about the revelations.

Clark's lawyer, W. Scott Ramsey, said during Thursday's hearing that the allegations against his client are still just accusations and nothing has been proven in court.

Clark was indicted in April on charges of felonious assault, interfering with civil rights, unlawful restraint and tampering with evidence. Surveillance video captured him spraying inmate Chantelle Glass in the face with pepper foam while she was strapped into a restraint chair. Corrections officer Robert Marsh, who was seen punching Glass in the face, was also charged. Meyer said Thursday that Marsh has agreed to plead guilty, but refused to elaborate on the terms of the



Cuyahoga County jail guard Idris-Farid Clark enters a courtroom Thursday with his hands and feet cuffed. *Cory Shaffer, cleveland.com*

deal.

Clark on Aug. 7 sent a text message to an unnamed coworker at the jail and told him that he received videos of "different incidents" at the jail, including an incident where the officer sprayed pepper foam onto an inmate who bit him, according to an affidavit written by special investigator Robert Desimone.

Clark said he would release the videos if the officer refused to testify in his defense about the lack of training given to jail officers and "how the jail is ran," the affidavit says. That line of defense is a commonly cited by law enforcement and corrections officers as a defense against accusations of excessive use of force.

FBI agents and DeSimone then put a recording device on the other officer's phone and had him call Clark, who repeated the threat and asked the officer to get more video from the county's computers and give it to him, records say. He said he would then destroy the videos once the officer testified on his behalf, prosecutors said.

"I have videos available to me that could incriminate you if released," Clark told the officer on the call, the records say. "You'd be sitting in the same boat I'm in."

Meyer also said during Thursday's court hearing that, while investigators were searching Clark's house, Clark told his cousin to find his cellphone and delete text messages that Clark had sent to a girlfriend, Meyer said.

EXHIBIT -

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OCTOBER 2019

CUYAHOGA COUNTY JAIL

Officers waiting to be sentenced still getting paid

Adam Ferrise aferrise@cleveland.com

Two Cuyahoga County Jail corrections officer who admitted in court Tuesday to felonies that accused them of pummeling an inmate strapped to a restraint chair are still getting paid.

The county continued to pay Cpl. Nicholas Evans and officer Timothy Dugan since June, when county officials ordered they start being paid, according to county records.

County officials have taken no action to place Evans and Dugan on unpaid leave or otherwise discipline them since they pleaded guilty earlier this week. Both agreed to resign from their positions at their Dec. 12 sentencing.

Ohio law says the county can only put employees on unpaid leave for two months before requiring them to resume paying their base salary. Once an employee pleads

1 to have 23

no details on when that would happen or why the department continues to be understaffed.

Williams told City Council in March that expected to have 23 homicide detectives in the unit by the end of the year. He had 14 detectives at the time.

Williams made the promise after an income tax increase approved by voters

HOMICIDE UNIT, A7

SEE JAIL OFFICERS, A7

EXHIBIT

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Ohio: Columbus — The prison system plans to ask a state board today for an emergency 16% increase in the budget

for inmate health care, saying that increased costs led to a \$22 million shortfall. The increase would boost the system's overall health care budget to about \$140 million for the year. The request comes a year after a report found that Ohio's prisons should hire more doctors and nurses and expand some facilities.

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OCTOBER 2019

EXHIBIT -

CUYAHOGA COUNTY

Jail food contract put on hold

Quality concerns: Council cites problems with bidder's service at other jails, prisons

Courtney Astolfi castolfi@cleveland.com

A Cuyahoga County Council committee is holding up a proposed contract with Trinity Services Group for jail food services until members get answers about news reports of poor food quality, inadequate staffing and other problems in jails and prisons serviced by Trinity.

The Public Safety and Justice Affairs committee on Wednesday postponed for two weeks its consideration of the \$18.6 million five-year contract with Florida-based Trinity, which markets itself as a national leader in food service for jails and prisons.

In response to some of council's concerns, Trinity regional vice president of sales, Steve Sleigh, acknowledged the company was fined for a variety of issues at Michigan prisons, where Prison Legal News cited 2016 riots fed, in part, by poor food quality.

The contract was intended by the administration of County Executive Armond Budish as one of the fixes to the county's troubled jails, where food service was one of the problems cited by the U.S. Marshals Service in a November report describing "inhuman" conditions.

Council President Dan Brady on Wednesday said council "couldn't possibly" approve a contract with Trinity until council members receive an explanation for a "tide of com-

plaints" leveled in news reports about Trinity.

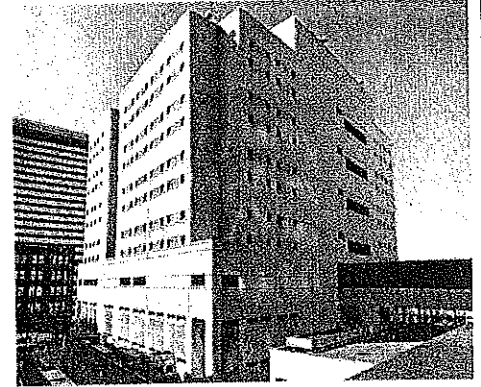
Committee Chair Michael Gallagher told cleveland.com that council is acting with an "abundance of caution" and will determine whether to contract with Trinity after the company provides the county with written responses to allegations in the news reports.

"We're not just concerned with price," council member Yvonne Conwell said Wednesday. "We want quality."

Trinity was one of three bidders on the jail contract. Aramark Correctional Services submitted the lowest-priced quote, and Summit Food Service submitted the highest-priced quote, council was told.

In response to the Michigan reports, the company said the state entered into a subsequent contract with Trinity that makes clear the reports were "bogus and full of errors and a lack of circumstantiation." The circumstances in Michigan, Trinity said, were an inherited problem that took time to correct, and many of the violations took place before Trinity assumed control of food services.

Trinity also denied the company had any responsibility for riots at El Paso County Jail. And in Utah, Trinity said no maggots were found in inmates' food, and a manager was fired after food-temperature issues were brought to the company's attention.



A committee of the Cuyahoga County Council has postponed its consideration of a five-year contract for food service at the county jail. Cory Shaffer, cleveland.com

Jail officers: Both returned to paid leave

FROM A1

guilty to a felony, the county or government agency has discretion on whether it wants to continue their employment, or put them on unpaid leave. If no action is taken, the county would pay Dugan about \$8,500 and Evans about \$10,000 from the time they pleaded guilty to the time their resignations become official at their Dec. 12 sentencing.

Cuyahoga County spokeswoman Mary Louise Madigan did not answer repeated questions about whether the county intends to place Dugan or Evans on unpaid leave.

Both were initially placed on paid leave March 27, five days after they attacked inmate Terrance Debose, according to county records. They were put on unpaid leave on April 9, the day after they were

indicted by special prosecutors with the Ohio Attorney General's Office.

On Aug. 5, both returned to paid leave retroactive to June 8, according to county records.

A county human resources specialist in May determined that it is the county's discretion on whether or not they can put employees on leave for two months when they're charged with felonies, according to county records.

Ohio Patrolmen's Benevolent Association corrections union filed a grievance with the county after Dugan and Evans were put on unpaid leave while other county officials — now-convicted former jail warden Eric Ivey and current Human Resources Director Douglas Dykes — kept getting paid despite also being charged with felonies.

Ivey was put on unpaid leave months after

his indictment and Dykes has never been put on leave. Dykes pleaded not guilty to a felony charge of theft-in-office and his case is pending.

Evans on March 22 wheeled Debose into a small isolated cell in the jail, turned off his body camera and punched Debose in the head six times, according to surveillance video of the incident and prosecutors. Dugan, who stood in the cell, punched Debose twice, the surveillance video shows.

Evans pleaded guilty to attempted felonious assault and tampering with evidence, both third-degree felonies. He faces between probation and six years in prison.

Dugan pleaded guilty to attempted abduction, a fourth-degree felony, and first-degree misdemeanor assault. He faces between probation and two years in prison.

Jail

FROM A1

months and hopes to hire more.

"Obviously, that's not acceptable to any of us," Madigan said in response to the images. "We will identify and discipline them."

The issue is among a myriad of problems at the jail, including mistreatment of inmates, low morale among the understaffed jail officer roster, officers beating inmates and selling them drugs and several inmates being mistakenly released from the jail, including a man accused of murder.

Nine inmates died of either drug overdoses or suicide in less than a year's time beginning in 2018, spurring a damning U.S. Marshal's report that called the jail's conditions inhumane, several civil lawsuits and a criminal investigation that has led to indictments of several corrections officers and the jail's former top brass.

One photograph shows a guard appearing to sleep with his head in his hands next to an inmate who is not wearing handcuffs or any other restraints. The attorney said there was no other jail guard around.

Another video shows the attorney's client holding a folder of paperwork about his case in a contact visitation room enclosed by glass, looking out at a different guard who also appears to be asleep. The guard is slumped back in the chair behind the desk on the other side of the glass. His head sways back as his chest swells on the inhale, and then sways back forward as he exhales.

The guards are the only ones who can unlock the visitation rooms.

The attorney said the defendant banged on the window several times to try to wake up the guard, but he never did. Nearly half an hour passed before another guard came by, noticed his colleague was asleep and woke him.

The attorney stressed even though the defendant was charged with murder, he has been nothing but respectful in previous interactions and the attorney was not concerned in that particular instance.

"If he's banging on the window and the guy didn't wake up, what else could someone else do without him waking up," the attorney said.

Ohio Police Benevolent Association attorney Adam Chaloupka said it was unacceptable to sleep on the job. But he pointed out that the union has filed grievances accusing the department of violating overtime rules laid out in the collective bargaining contract.

Chaloupka said the department forces officers to work 16-hour days on consecutive days and more than twice a week, which he said is explicitly barred in the contract.

"If we had better staffing and if management adhered to the contract terms on how they should hit mandatory overtime, then the likelihood of this happening would decrease," Chaloupka said.

He said corrections officers are human beings with lives outside of work, and the union will defend the guards if they face internal discipline over the images.

"The system is set up for them to fail," Chaloupka said.

CUYAHOGA COUNTY JAIL

Photo, video show sleeping guards, attorneys say

Cory Shaffer cshaffer@cleveland.com

A photograph and a video provided to cleveland.com show two different guards at the Cuyahoga County Jail sleeping during attorney visitations in recent months.

One of the jail guards fell asleep at a table as four inmates, all unrestrained, sat next to him, according to the defense lawyer who captured the images and shared them with cleveland.com. Another guard fell asleep as the attorney was locked in the contact visitation room with a defendant charged with murder.

The lawyer, who wishes to remain anonymous to avoid any potential ramifications against the clients the attorney represents, made it clear in a phone interview with cleveland.com that the images represent wider issues plaguing the jail, which has been plagued by staffing shortages and long hours for guards.

"I don't fault them individually," the attorney said.

SEE JAIL, A8

ney said of the two officers. "I fault the jail as a whole."

Cuyahoga County Public Defender Mark Stanton, who on Monday blasted the jail's handling of the attorney visitation process, agreed with that assessment in a brief phone interview Friday.

The images were not symptoms of the guards being disinterested in or not wanting to do their jobs, Stanton said.

"They're underpaid, they're completely overworked and stressed to the limit," Stanton said. "They bust their rear ends for us." County spokeswoman Mary Louise Madigan declined to discuss the attorney's assertions about the wider issues in the jail except to say that the county has hired a record number of corrections officers in recent

"I don't

fault them

individually.

I fault the jail

as a whole."

An attorney who was locked in the contact visitation room with a defendant charged with murder when the guard fell asleep

NOVEMBER 2, 2019

CLEVELAND PLAIN DEALER NEWS

(FRONT PAGE)

EXHIBIT -

Former inmates question Portage jail investigation

Prisoners who have filed complaints about abuse, neglect ask why sheriff is leading review

By Eileen McClory
GateHouse Media Ohio

With 16 complaints filed with Portage County commissioners against the county jail and an additional lawsuit pending in U.S. District Court, the Portage County Sheriff's Office has begun to investigate the allegations.

At least three of the people who have complained about conditions in the county jail are asking why the sheriff's office is seemingly investigating itself.

"I just don't understand why it's legal for them," said Austin Frederick, a former inmate at the jail who has filed a complaint with commissioners alleging abuse.

Frederick says it would be "witness tampering" if he tried to investigate a crime he committed, and he doesn't see why it's different for the sheriff's office. He filed a writ of mandamus in the 6th Circuit Court of Appeals on Friday asking that the sheriff's office turn over the investigation to the Ohio Attorney General's Office.

Amanda Griffiths, the sister of Larry Tawney, a former inmate who says he was beaten by jail guards, said she wants to see a total replacement of officials at the sheriff's office.

resident who is in prison for check fraud. Another complaint sent by Frederick to commissioners is simply a letter. Frederick is no longer in prison.

The rest of the complaints have been filed by inmates who are currently incarcerated at the Lake Erie Correctional Institution in Lorain, where a private company working for the state, CoreCivic, has been working with inmates to take statements, notarize them and send them to Portage County commissioners.

The complaints allege inmates were pepper-sprayed in restraint chairs, placed into "Court Hallway" — a room that inmates described as cold and without water other than a toilet, that corrections officers skipped inmates for meals, that inmates were refused medication or medical treatment, and that inmates were forced to clean up blood and other fluids from the ground after corrections officers allegedly beat inmates.

All of the former inmates have felony convictions. Some of them are serving decades in prison.

The Portage County Sheriff's Office says so far it has found no evidence that anyone who has made complaints about the jail was abused. The office has provided the Record-Courier with some of the documents it is using to show no abuse took place, including surveillance video and

In 2015, an investigation from the State Fire Marshal "revealed deficiencies" that weren't specified in the report, and the state noted that the files on training for corrections officers weren't available for them to look through during their visit. Both issues were later corrected by the sheriff's office, and the jail passed inspection.

In 2017, the state said the suicide prevention plan that is required for all county jails was not updated. The sheriff's office again corrected the deficiencies in later forms to the ODRC.

The Bureau of Adult Detention is charged with inspecting Ohio's 88 county jails. To be found in compliance, the state requires all jails to meet 52 "essential" standards and 90% of "important" standards. If a problem is found, sheriffs and jail administrators must submit plans to correct the problems found by state inspectors.

Members of the Portage County grand jury also are supposed to inspect the jail on a four-month basis. The Record-Courier asked for and received all the grand jurors' comments from between 2015 and 2019. Most negative comments from grand jurors were about inmate overcrowding, doors within the facility not working and a lack of corrections officers on staff, which are all issues the sheriff's office is currently working to address with

an additional \$1 million and added job openings in the central office. The ODRC said the increase had led to 10 more staff members at the Columbus office, including six new jail inspectors. The total number of jail inspectors in Ohio is now nine, up from three jail inspectors last year.

Under Ohio law, the bureau is primarily charged with regulations, not with investigating specific complaints, a spokeswoman said.

"The Bureau of Adult Detention primarily serves a regulatory role with the objective of improving operations in the jails," spokeswoman JoEllen Smith wrote in an email.

When multiple deaths occurred at the Summit County Jail in 2018, Summit County asked Stark County to investigate the deaths. Stark County prosecutors cleared Summit County jail officials of any wrongdoing.

Commissioner Vicki Kline said the commissioners are taking the complaints seriously, but they do not have authority over the sheriff's office.

Doak is an elected official and is not appointed by or overseen by county commissioners. The commissioners set the budget for the sheriff's office but have no further authority. Doak has already announced he will retire and won't seek re-election next year.

Doak said his office

EXHIBIT-

CUYAHOGA COUNTY

Judge says Juvenile Center needs more guards, psychiatric nurse to improve safety

Courtney Astolfi castolfi@cleveland.com

More money needs to be included in the county budget to hire detentions officers, a psychiatric nurse and others to improve safety at the Cuyahoga County Juvenile Justice Center, the administrative judge told council this week.

The administration of County Executive Armond Budish denied the juvenile court's requests in its proposed 2020-21 budget, Administrative Judge Kristin Sweeney said Monday during budget hearings.

County Council has not approved the budget and is still considering what changes, if any, to make.

"The budget hearings are for department leaders to present their needs and request, and that's what Judge Sweeney did yesterday. We heard her, Council heard her, and the requests are being considered in this very tight budget," county spokeswoman Mary Louise Madigan told cleveland.com.

The juvenile court wants to hire 10 detention officers, a psychiatric nurse, and two human resources employees. The annual costs for such personnel, along with a one-time payment for on-site access to medical records, would cost about \$3.5 million, Sweeney told cleveland.com.

Current staffing levels at the detention center comply with Ohio law, Sweeney said, but not with federal standards related to the Prison Rape Elimination Act and standards governing the Juvenile Detention Alternatives Initiative.

The latter is a criminal justice reform program aimed in part at improving conditions in juvenile facilities.

Ohio's Department of Youth Services requires Cuyahoga and 13 other counties to participate.

Ten additional guards would bring the Cuyahoga County Juvenile Justice Center in compliance with both programs, Sweeney said.

A psychiatric nurse, Sweeney said, is needed to tend to the 50% to 70% of detention center residents that take medication. The nurse would ensure children properly take their medication and monitor their behavior.

The goal is to reduce the risk of children becoming violent or harming themselves, Sweeney said.

Two additional human resources workers



would be used to speed the hiring, conduct background checks for applicants, reduce overtime costs, and curtail "inappropriate" call-offs from detention officers demonstrating a pattern of calling in sick or using unplanned vacation time.

Sweeney told council that some problems at the Juvenile Justice Center are similar to recent problems at the county jail, such as a high rate of turnover among detention officers and excessive call-offs that result in overtime payments.

Too few staff members also prevent the Juvenile Justice Center from implementing policies recommended in a 2018 report by the Center for Children's Law and Policy, such as a program meant to encourage good behavior, Sweeney said.

The report, compiled by six juvenile justice experts who visited the facility, found staff shortages and the use of overtime hinder "the ability to supervise youth in a safe and humane manner."

"We're not just coming to you asking because we think this is a nice idea — there's serious safety concerns with some of this stuff," Sweeney said.

"We really want these kids to be safe. ... I want our detention staff to not worry about being assaulted."

Cuyahoga County juvenile court wants to hire 10 detention officers, a psychiatric nurse, and two human resources employees for the Juvenile Justice Center to comply with federal standards.
Associated Press

NOVEMBER 2, 2019 (CLEVELAND) PLAIN DEALER NEWS

EXHIBIT-

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CUYAHOGA COUNTY

Thomas O'Malley to return as juvenile court's administrative judge

**Veteran jurist previously held
position from 2008 to 2013**

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Veteran Cuyahoga County juvenile court Judge Thomas F. O'Malley will return to the position as administrative judge for a two-year term beginning in 2020.

O'Malley's colleagues on the bench elected him on Thursday to takeover for Judge Kristin W. Sweeney, who held the administrative judge position since 2014.

O'Malley, who is not related to Cuyahoga County Prosecutor Michael O'Malley, was the court's administrative judge from 2008 to 2013. He led the court's partnerships with other county agencies to create the Youth and Family Community Partnership to place more juveniles in local residential facilities rather than ship them to state-run facilities out of Northeast Ohio.

He also led the court when it signed onto the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative. During the same time, state legislators reformed the way juveniles are charged as adults after hundreds of teenagers were being sent to adult courts.

He was also at the helm of the court when it moved into the new facility on Quincy Avenue. The project was roundly criticized as being behind schedule and over budget, and the court had to cut ties with several contractors who were later swept up in the countywide corruption scandal.

O'Malley takes over the court at a time when the number of children being bound over to adult court has skyrocketed back to the levels before the reforms.

He will assume his new duties on January 1, 2020, for a 2 year term that concludes December 2021.

In a news release announcing the vote, O'Malley thanked Sweeney for the work she had done, which he said has led to a more efficient and transparent court. He also thanked the court's employees.

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